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OFFICE OF PETITIONS

STRIKER, STRIKER & STENBY
103 East Neck Road
Huntington NY 11743

In re Application of
Odeskog et al.
Application No. 10/627,214
Deposited: July 25, 2003
Attorney Docket No. 2641
Title of Invention: METHOD OF
OPERATING A COOLING AND HEATING
CIRCUIT OF A MOTOR VEHICLE

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: DECISION GRANTING PETITION
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This is a decision on the petition filed December 8, 2003, requesting that the above-identified application be accorded a filing date of July 25, 2003.

The application was deposited on July 25, 2003. However, on November 12, 2003, the Office of Initial Patent Examination mailed a "Notice of Incomplete Nonprovisional Application" stating that a filing date had **not** been granted and requiring drawings as described in the specification. The "Notice" further stated that the filing date would be the date of receipt of the omitted drawings.

In response, on December 8, 2003, applicant filed the present petition and a copy of applicants' postcard receipt acknowledging receipt of 2 sheets of drawings on July 25, 2003. Additionally, applicant submitted a copy of one (1) sheet of drawings.

Applicant's postcard receipt is prima facie¹ evidence that drawings were received on July 25, 2003, but no drawings are present in the file. Hence, it is clear that the papers for this application were mishandled by the Office. Therefore, it is concluded that at least 2 sheets of drawings, were received on July 25, 2003, as shown in counsel's file, and later misplaced in the Office. It is noted that only one sheet of drawing was submitted with the petition.

The petition is Granted.

The application is being returned to the Office of Initial Patent Examination for further processing with a filing date of July 25, 2003, using the copy the drawing supplied on December 8, 2003.

Any inquiries related to this decision should be directed to the

¹A postcard receipt which itemizes and properly identifies the items which are being filed serves as prima facie evidence of receipt in the office of all items listed thereon. See MPEP 503.

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undersigned at (571) 272-3215.

A handwritten signature in cursive script, reading "Charlema R. Grant". The signature is written in black ink and is positioned above the printed name.

Charlema R. Grant
Petitions Attorney
Office of Petitions